

BOARD OF DESIGN REVIEW MINUTES

May 27, 2004

CALL TO ORDER: Chairman Mimi Doukas called the meeting to order at 6:30 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

ROLL CALL: Present were Chairman Mimi Doukas; Board Members Hal Beighley, Jennifer Shipley and Dennis Collins. Board Members, Stewart Straus, Ronald Nardoza, and Jessica Weathers were excused.

Senior Planner John Osterberg, Associate Planner Tyler Ryerson, and Recording Secretary Sheila Martin represented staff.

VISITORS:

Chairman Doukas read the format for the meeting and asked if any member of the audience wished to address the Board on any non-agenda item. There was no response.

NEW BUSINESS:

PUBLIC HEARINGS:

Chairman Doukas opened the Public Hearing and read the format of the hearing. There were no disqualifications of Board Members. No one in the audience challenged the right of any Board Member to hear any agenda items or participate in the hearing or requested that the hearing be postponed to a later date. She asked if there were any ex parte contact, conflict of interest or disqualifications in any of the hearings on the agenda.

I. CORNELL SUNSET CENTER

A. DR 2004-0028 – TYPE 3 DESIGN REVIEW

B. ADJ2004-0002 – MAJOR ADJUSTMENT

C. SDM2004-0007 – STREET DESIGN MODIFICATION (Application Withdrawn)

The applicant is requesting Design Review Three, Major Adjustment, and Street Design Modification approval for the construction of a three-building retail development of approximately 47,800 sq. ft. in size. Approval of a similar development on this site was previously approved in 1999 (BDR98-0181), but that earlier approval has expired. As part of the current proposal, a Major Adjustment from the 20 foot front yard building setback Code requirement is requested in order to provide a 10 foot setback. In addition, the applicant

proposes to connect an internal driveway to a driveway on the Dania Furniture property to the east.

Chairman Doukas described the applicable approval criteria for each application and briefly outlined the public hearing process that would be followed.

Observing that this project involves two separate applications, and acknowledging that the SDM2004-0007 Street Design Modification application had been withdrawn, Associate Planner Tyler Ryerson, presented the Staff Reports and provided a brief explanation of each application. He identified the following documents submitted to the Board:

- Staff Memorandum, dated May 27, 2004, regarding the proposed site light fixtures.
- Comments on Type 3 Notice of Pending Development Application submitted by Stefan Ward with Dania Furniture.
- 11" x 17" colored rendering of the elevations and site sections from the applicant/architect team.
- Letter dated May 27, 2004, from the applicant's representing attorney, Mark Whitlow from Perkins Coie.

Mr. Ryerson referred to Criteria No. 4, page 12, of the Design Review Staff Report, addressing staff's concerns with the lack of visual interest on the western side of the northern elevation of Building A/B. He explained that the City had worked with developers of property along Sunset Highway to encourage windows, glazing, and similar features that provide adequate fenestration and variety, in an effort to prevent blank walls from being created where they are viewed from the Highway. Staff had recommended that the elevation plan be revised to incorporate additional visual interest, and noted that the applicant and the Design team had submitted a couple of design changes, illustrating the use of landscaping that will provide softening of the building mass. He emphasized that Staff had found the revised landscaping plans to be inadequate in providing the intended means of breaking up the building's mass, and presented the Board with an opportunity to discuss the articulation and massing pertaining to the northern elevation. He added that if the Board does find that the design of Building A/B does not require additional articulation or fenestration through the use of materials, colors, glazing, or other methods to meet Criteria No. 4, then staff recommends that the Board adopt conditions of approval to require additional conifer landscaping in this area.

Referring to the adjustment application, Mr. Ryerson pointed out one issue that Staff had identified pertaining to Criteria No's 4 and 9. He explained that the adjustment is to reduce the front yard setback of Building C to the right-of-way of

Cornell Road, to provide for a pedestrian plaza. Observing that the plaza proposal does not provide pedestrian enhancements, Staff recommends that the Board adopt a condition of approval that will show enhancements to the pedestrian plaza that will help mitigate for the setback reduction.

Mr. Ryerson referred to the Staff Memorandum, dated May 27, 2004, pertaining to the proposed site light fixtures. Explaining that the proposal includes flood lights that can be adjusted to tilt at different angles, staff had suggested that a shoebox style of light fixture be installed instead of the fixture that can be tilted. He suggested that the Board consider an additional condition of approval No. 20 based upon the Design Review criterion 40.20.15.3.C.11.

Regarding the document submitted by the applicant's attorney, Mark Whitlow, Mr. Ryerson stated that the applicant is required by Washington County to have a right-in only access to Cornell Road. The County had allowed a right-in/right-out access to Cornell Road in the original site approval of 1999, and is now requiring an access to be a right-in only. He stated that the applicant will expand on this issue during the presentation period.

Mr. Ryerson recommended approval of both applications with Conditions of Approval and requested the Board to discuss the issues that staff has identified. Concluding, he offered to respond to any questions.

Observing that the Dania site had been referenced throughout the Staff Report and the applicant's submittal, Chairman Doukas questioned the access connection to the Dania site.

Mr. Ryerson responded that the Dania site has an access at a specific location to the Cornell Sunset Center. He explained that there was an established access easement when the Dania property was constructed, and it was based upon where the previous access location was granted for this site before the approval expired. With the proposed development, the applicant would like to make this connection; however, the connection will have to shift slightly to the north. He expressed his opinion that the Dania property owner would like to make sure that the access easement through the site development stage is properly completed to ensure cross-over access between the two properties. He noted that staff has a condition of approval to make sure that all off-site easements are established prior to the issuance of the site-development permit.

APPLICANT:

BRUCE FORCUM, applicant for Cornell Sunset Center, referenced the document submitted by Mark Whitlow. He stated that the proposed application had previous approvals from the City and County to construct a right-in/right-out driveway at the Cornell Road location and that due to expiration of the 1999 design review approval (BDR 97182), the County has restricted the applicant to a

right-in only. He pointed out that staff was aware of this issue and had written a condition of approval indicating they'll go along with either the right-in only that currently exists based on what Washington County is saying or a right-in/right-out if the applicant prevails with Washington County.

RICK TILAND with *Tiland/Schmidt Architects, P.C.*, introduced the Project Architect, Scot Sutton. Mr. Sutton discussed the design of the complex and each of the buildings. He explained that the topography of the site is relatively flat, with a moderate slope on the northwestern portion of the site, and given the site conditions with the grade change and the visual interest from the highway, the architects had provided the owner with something that would stand out. He pointed out that Building A/B was designed in a modernist manner that expresses variety using well-proportioned, well-crafted massing as opposed to ornamentation used in other building styles. Demonstrating with a slide show presentation, he explained the design of Building A/B and noted that the design to the buildings will compliment the nearby existing buildings, having similar materials and massing, adding that Building A/B presents significant fenestration, variety, and visual interest along the Sunset Highway elevation in a manner consistent with the building's modernist design philosophy and the intent of this requirement.

CHRIS FRESHLEY, the landscape architect, explained how the landscaping in detail and how the site would be consistent with the surrounding buildings. He pointed out that the landscape plan includes both interior plantings as well as plantings around the perimeter of the site, which will provide a vegetated transition to the adjacent properties and create a natural, attractive appearance.

Board member Jennifer Shipley observed from the landscaping plans that Dania side screening is already provided on the eastern elevations and questioned if this was existing landscaping.

Mr. Freshley responded that there is existing evergreens on the Dania side and that some of the landscaping should be 'ghosted' back.

Referring to the landscape plan, specifically the north elevation for buildings A/B, Chairman Doukas observed that the evergreens surrounding the loading area for buildings A/B appear very mature, and questioned what year of maturity are shown for the trees.

On question, Mr. Freshley stated that the trees are roughly 80 percent maturity in the storm water facility, adding that they are utilizing the materials from Clean Water Services.

RICK TILAND presented a slide show which highlighted the various views of the site, including the buildings, landscaping, lighting, and access throughout the

development. Addressing staff's concern with the northern elevation of Building A/B, he expressed his opinion that the existing grades in the northwest portion of the site fall dramatically down toward Highway 26; thus influencing the design as demonstrated by how the northern façade angled away from the highway at thirty degrees. He explained that the angle of the wall, combined with the buildings height above the highway, will obscure views to this corner of the building from cars traveling west on highway 26; and that for the cars that are traveling eastbound; views of this portion of the building will be obscured by the neighboring development. To compensate for this lack of visual interest, he presented the proposed changes adding that with landscaping along this elevation that this will provide additional visual interest by incorporating layers of organic material in addition to the design features of the proposed building. Concluding he requested that the Board consider modification to Condition of Approval No. 6 pertaining to the adjustment for the front yard setback. He noted that since the applicant is asking for a variance to build a structure closer to the road that will provide some sun shelter with the existing trees and requested that Condition No. 6 be modified to exclude the structured shelter and to include the trash cans. He also referenced Conditions No. 17 on the Design Review that referenced the roof top mechanical units being viewed from streets and sidewalks. He noted that because of the terrain of Sunset Highway and how it peaks away from the proposed site, to the east of the site, the applicant would like to have the condition to read, "Ensure all rooftop mechanical equipment, vents, and similar features are screened from public view, as viewed from **adjacent** streets and sidewalks . . ."

In regards to the original approval design criteria of 1998, Board Member Hal Beighley asked that Mr. Tiland address the issues that were flagged at that time.

Addressing Mr. Beighley's question, Mr. Tiland noted the following:

- Items pertaining to the screening of mechanical units and the loading dock areas were covered, as far as the view angles, in addition to this Mr. Forcum has offered the concrete screen wall that is integral with the building, adding that he believes it's mainly just as a building form instead of actual screening.
- The tilt up concrete building materials with the revealed joints; he thinks this is a very high quality material, which is very durable and a time tested material.
- Agreement on the conditions regarding the pedestrian and bicycle access.
- Compliance to Mr. Ryerson's clarification of items No. 7.
- Items No. 8 do not apply as the NW Corridor Court will not extend through their site.

PUBLIC TESTIMONY:

Rachel Nettleton, chair of the 5 Oaks Triple Creek NAC, testified that she is not speaking for the NAC since the developer had not scheduled a meeting with 5 Oaks Triple Creek NAC, and therefore, she has no consensus. She emphasized concerns from previous NAC meetings specifically issues pertaining to the lighting, adding that the flood light type of lighting creates too much light pollution and suggested the use of show box type of lightings on the driveways. She expressed her concern pertaining to the glass on a lot of the buildings, which will cause birds to fly into them, and suggested mitigation to keep birds from flying into the glass. She also had concerns regarding the widening of Cornell Road, and questioned if this building allows for the road to be widened and if there is a connecting road between the proposed site's parking lot and Dania's.

Chairman Doukas pointed out that according to the site plan; there is a connection across the site as an extension of Corridor Court that connects over to the Dania Site. She noted that the access easement is noted in the Conditions of Approval that it will match the alignment to make sure that it stays there in the future.

As to the widening of Cornell, Chairman Doukas expressed her opinion that she is quite certain that the future right-of-way dedication is the edge that the applicant is designing from and that there's enough real estate for the County to widen the road as they need to.

Stefan Ward representing Dania Furniture, testified that he is in favor of this development and would like this development come forward because it is good for business; however, he expressed his concern with the west side entrance of the Dania Entrance, Building A, adding that since the eastern elevation of Building A acts as an interior wall to the Dania Center, he believed that the elevation should have the same level of architectural and aesthetic features as the northern elevation of Building A. He also expressed his concern regarding the trash enclosure at the northern elevation of Building C. He explained that since there is a pedestrian walkway connecting the proposed site and Dania Center, he is requesting that if the trash enclosure is to be placed as it is proposed then a canopy should cover the entire enclosure area to make it look more attractive.

Chairman Doukas questioned if Mr. Ward had any specifics about what he is looking for pertaining to the elevations and suggested ideas such as a canopy, material change or landscaping.

Mr. Ward responded that he is thinking more in terms of windows which would make the elevations look friendlier; not just a blank concrete wall. As far as landscaping, he expressed his opinion that because the elevation is too close to the Dania property, there's not much room for landscaping.

Ms. Shipley questioned if there are trees planted along Mr. Ward's property at that point.

Mr. Ward explained that they do have some bushes right on their property, but no trees, and added that this will not cover the concrete wall. He also expressed his concern with the parking adding that there are no parking spaces along the eastern side of Cornell Sunset Center.

Chairman Doukas explained that the building location is determined by the zoning setbacks, and that the applicant has the right to place a building in that area.

Mr. Collins questioned if Mr. Ward had shared his thoughts with the developers.

Mr. Ward stated that they have not heard much about this development and that the information that was presented at tonight's hearing was not discussed previously with Dania.

Chairman Doukas questioned if Mr. Ward attended the neighborhood meeting.

Mr. Ward stated that he had someone else attend the neighborhood meeting.

APPLICANT REBUTTAL:

Mr. Tiland addressed Ms. Nettleton's concerns pertaining to the light pollution and stated that this was addressed in the amended site lighting fixture, adding that they're going to have some cutoffs and a fixed light head so that it's parallel to the ground. As to the bird issue, he believes that the birds react to the reflections of the glass and explained that in a retail environment, they try to have the glass as clear as possible. He was unsure regarding the widening of Cornell Road, if it is a legal term as far as dedicating; adding that the applicant had offered some additional right-of-way and the ten-foot adjustment is from the new right of way line. The connectivity between the properties is important to the applicant, it helps to have the connectivity and it also provides the proposed development access over to the light on Cornell as well as those customers of Dania.

Acknowledging that he was not the original architect on the proposed project, he discussed Mr. Ward's comment on the cross access agreement and noted that the applicant is discussing the shifting of the actual access point. He explained that there was a 100 foot wide area of opportunity which they were required to tighten down and be very specific on the drive connection, and noted that they are working with Dania to shift the specific location slightly to the north, that will give both of the buildings a better connection. Noting that there is no cross parking agreement even though both properties will allow free access of vehicles

through, he stated that the proposed development is not suggesting or offering to their employee's to be parking on the Dania's property.

Using his exhibit, Mr. Tiland discussed the trash enclosure and pointed out that it was the only logical place for the loading zone on Building C. He explained that they want to confine the two functional areas on the north side of the building so it opens away from Dania's. He observed that there are cedar tree's that have been planted to create a screening and expressed his opinion that it will provide a substantial buffer between the properties that would further soften the east elevation along with the modifications that Mr. Sutton recently did. He believes this will be a nice addition and they will be very compatible in uses.

Mr. Beighley observed that the trash enclosure depicted in the drawing appear to be totally enclosed and questioned if there is a masonry wall on both sides of the proposed one.

Mr. Tiland responded that it is enclosed by the building on the south side and the other two exposed walls and then it's enclosed by a solid door on the west facing wall that faces out towards the loading area. He noted that the concrete used on the wall will match the building very similar to Dania.

Chairman Doukas asked if there were any questions from staff.

Mr. Ryerson expressed his opinion that he would still recommend to the Board to discuss the options for Building B and added that if there isn't anything with the building as far as specifics, then additional conifer plantings should be reviewed.

The public portion of the Public Hearing was closed.

Mr. Beighley **MOVED** and Ms. Shipley **SECONDED** a motion to **APPROVE** DR2004-0028 – CORNELL SUNSET CENTER DESIGN REVIEW THREE, based upon the testimony, reports and exhibits, and new evidence presented during the Public Hearings on the matter, and upon the background facts, findings and conclusions found in the Staff Report dated May 20, 2004, including Conditions of Approval 1 through 19 with the following additions:

- Conditions No. 17 by adding the word, . . . "as viewed from *adjacent* streets and sidewalks . . ."
- Add Condition No. 20 per staff memo dated May 27, 2004, with respect to lighting.

Motion **CARRIED** by the following vote:

AYES:	Beighley, Shipley, Collins, and Doukas.
NAYS:	None.

ABSTAIN: None.
ABSENT: Nardozza, Straus, and Weathers.

Motion carried unanimously.

Mr. Beighley **MOVED** and Ms. Shipley **SECONDED** a motion to **APPROVE** ADJ 2004-0002 CORNELL SUNSET CENTER MAJOR ADJUSTMENT, based upon the testimony, reports and exhibits, and new evidence presented during the Public Hearings on the matter, and upon the background facts, findings and conclusions found in the Staff Report dated May 20, 2004, including Conditions of Approval 1 through 5, and the modification of Condition of Approval No. 6 to read as follows:

- Prior to occupancy of Building C, the applicant shall provide at a minimum two (2) benches, and waste receptacle ~~garbage can, with a structural element that provides shelter over the street furniture~~ at the proposed pedestrian plaza.

Motion **CARRIED** by the following vote:

AYES: Beighley, Shipley, Collins, and Doukas.
NAYS: None.
ABSTAIN: None.
ABSENT: Nardozza, Straus, and Weathers.

Motion carried unanimously.

APPROVAL OF MINUTES

The minutes of April 1, 2004, as written, were submitted. Being the only Board Member who had been in attendance at this meeting, Chairman Doukas **APPROVED** the minutes as written and submitted.

The minutes of April 22, 2004, as written, were submitted. Chairman Doukas **MOVED** and Ms. Shipley **SECONDED** a motion that the minutes be adopted as written and submitted.

The question was called and the motion **CARRIED** unanimously, with the exception of Mr. Collins and Ms. Shipley, who abstained from voting.

MISCELLANEOUS BUSINESS:

The meeting adjourned at 8:43 p.m.